



H A R V A R D | B U S I N E S S | S C H O O L

DAVID E. YOFFIE |

MAX AND DORIS STARR PROFESSOR OF INTERNATIONAL BUSINESS ADMINISTRATION
SENIOR ASSOCIATE DEAN, CHAIR, EXECUTIVE EDUCATION

April 11, 2007

Chairman Kevin Martin
Federal Communications Commission
445 12th Street, NW
Washington, DC 20554

Re: CS Docket 97-80

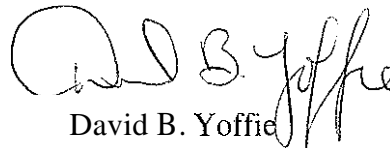
Dear Chairman Martin:

I live in Newton, Massachusetts. I am a subscriber of cable television services from RCN Communications. I recently purchased a TiVo Series3 HD DVR. On or about March 26, 2007 and again on March 27, 2007 I contacted RCN to obtain CableCARDS for my TiVo DVR. Each time, RCN has refused to provide me with any CableCARDS claiming that RCN has no CableCARDS and cannot provide me with any estimate as to when (or if) CableCARDS may be available to me in the future.

Rather than provide me with CableCARDS as I requested, RCN tried to convince me to use RCN's own DVR instead of using CableCARDS for the TiVo Series3 DVR.

I understand RCN is seeking a waiver from the FCC relating to its own use of CableCARDS and I fail to see how RCN could be entitled to such a waiver when it disregards its obligation to provide CableCARDS to consumers upon request as required by the FCC.

Sincerely,



David B. Yoffie